REMARKS

Claims 1-21 are rejected under 35 U.S.C. 103 as being unpatentable over Won et al (U.S. 6,744,627) (Won). This rejection is not applicable to claims 1-21.

As the PTO recognizes in MPEP §2142:

> The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

The examiner clearly cannot establish a *prima facie* case of obviousness in connection with claims 1-21 for the following reasons.

35 U.S.C. §103(a) provides that:

> [a] patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains ... (emphasis added)

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. However, Won does not apply a substantially vertical force on the portable device to cause the docking, wherein the pair of moveable rear latches and the moveable front latches are operable to resiliently spread apart in opposite directions to movably latch on to corresponding matching slots of the portable device when docked whereby the docking device and portable device are secured.

Therefore, it is impossible to render the subject matter of claims 1-21 as a whole obvious based on any combination of the patents, and the above explicit terms of the statute cannot be met. As a result, the examiner's burden of factually supporting a *prima facie* case of obviousness clearly cannot be met with respect to the claims, and a rejection under 35 U.S.C. §103(a) is not applicable.

There is still another compelling, and mutually exclusive, reason why Won cannot be applied to reject the claims under 35 U.S.C. §103(a).

The PTO also provides in MPEP §2142:

> [T]he examiner must step backward in time and into the shoes worn by the hypothetical "person of ordinary skill in the art" when the invention was unknown and just before it was made. In view of all factual information, the examiner must then make a determination whether the claimed invention "as a whole" would have been obvious at that time to that person. ...[I]mpermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art.

Here, Won does not teach, or even suggest, applying a substantially vertical force on the portable device to cause the docking, wherein the pair of moveable rear latches and the moveable front latches are operable to resiliently spread apart in opposite directions to movably latch on to corresponding matching slots of the portable device when docked whereby the docking device and portable device are secured.

Won, as the USPTO notes, fails to teach movable front latches and movable rear latches operable to spread apart in opposite directions.

In fact, Won requires movement of a lock device with a key to secure the computer main body and the docking station.

The USPTO argues that it would be obvious to duplicate the number of rear latches of Won to include front latches. The USPTO further argues that it would also be obvious to provide the front and rear latches to move apart in opposite directions. However, Won does not suggest this. Furthermore, Won requires a key lock to secure the computer to the docking station. In fact, the USPTO acknowledges that 4 latches is an improvement over the 2 latches of Won to "prevent accidental disconnection between each device." This fortifies the applicants position that the claimed invention is not obvious over Won.

In view of all of the above, the allowance of claims 1-21 is respectfully requested.

The examiner is invited to call the undersigned at the below-listed telephone number if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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on Apr 6, 2006
Date

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